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Air

Bush Airport Awarded \$1.5 Million FAA Grant To Reduce Emissions, Improve Air Quality.

The Houston Chronicle (11/4, Rumbaugh) reported that Bush Intercontinental Airport has been awarded a \$1.5 million grant “to buy and install equipment that will reduce emissions and improve air quality,” under the FAA’s Voluntary Airport Low Emission and Zero Emissions Airport Vehicle programs. The airport will use the grants “for five preconditioned air units that cool aircraft while they’re parked at the gate and for 68 electrical ground support recharging ports.”

Brownfields/Superfund/Other Cleanups

Ameren Continues Cleanup Efforts At Former Gass Plant In Champaign, IL.

The Urbana/Champaign (IL) News-Gazette (11/4, Ditman) reported that Ameren Illinois “plans to finish removing toxins from the site of its old manufactured gas plant in Champaign by next month.” The site has been a topic of criticism from advocates that claim “officials aren’t doing enough to remove contamination.” Project manager Brian Martin “said the U.S. EPA and Ameren aren’t communicating, but the agency would welcome any direction.” The utility said it will seek approval from the state sometime in next year, at which point it will “consider its work at the site finished.”

EPA Ruling Creates New Site For Dredged Sediment.

The Houston Chronicle (11/4, Haigh, Press) reports that the EPA issued a decision on Friday indicating that a portion of eastern Long Island Sound has been designated as a disposal site for dredged sediment from Connecticut and New York ports and harbors. New York had formally objected to the proposal citing concerns over the cumulative effects of dumping, while indicating other possible disposal sites. Regional administrator of EPA’s New England office, Curt Spalding, said that he disagreed with New York’s concerns and expressed hope that the sediment may ultimately be repurposed for sand and gravel on eroded beaches.

Additional Reading.

- Connecticut To Spend \$10M To Replenish Beach At Hammonasset. Torrington (CT) Register Citizen. (11/5)

Climate Change

EPA Presents Cap-And-Trade Plan Despite Supreme Court Stay.

The Hill (11/4, Cama) reports that the EPA’s optional cap-and-trade model went to the White House Office of Management and Budget for Review as part of the Clean Power Plan, despite the fact that the Supreme Court placed a stay on the plan. The EPA said, “Many states have asked

EPA to move forward with our outreach and to continue providing support and developing tools related to the Clean Power Plan. ... We are developing these tools in a way that is consistent with the Supreme Court's stay." E&E Publishing (11/4) quotes EPA spokeswoman Melissa Harrison saying, "even for states that are choosing not to act during the period of the stay, these tools will assist their decisions regarding options for plan development when the stay is lifted." Murray Energy Corp. responded to the plan saying, "While Murray Energy was successful in obtaining a Nationwide stay from the Supreme Court, the Obama EPA has continued to flout the law and the Supreme Court, and continue to implement their illegal agenda. ... It is deeply offensive to the Supreme Court, to the employees of Murray Energy and their families, and to the people of the United States of America to see the Obama EPA continue to promulgate this illegal CPP Incentive Program without any legal authority."

Fox, 25 State Attorney's Say EPA Violating Supreme Court With Rule-Making. The Billings (MT) Gazette (11/4) reports that Montana Attorney General Tim Fox and 25 other state attorneys general sent a letter saying the EPA is violating the US Supreme Court's stay on the Clean Power Plan. Fox's press release said that the EPA is moving forward on the rule-making process for the Clean Energy Incentive Program, a regulatory mechanism to incentivize renewable energy development, which is a component of the Clean Power Plan. Fox said, "By moving forward with this rule-making, EPA has ignored explicit instruction from the court, throwing years of well-established case law out the window. It is unacceptable for the EPA to flout the rule of law and treat our nation's highest court in this manner, and for the sake of preserving the integrity of the institution, I encourage the agency officials to rethink their actions."

Some Environmentalists Oppose Carbon Tax Over Revenue Allocation Plan. The Hill (11/4, Henry) reported that environmentalists are divided over ballot question Initiative 732, disagreeing on how the nation's first carbon emissions tax would handle projected revenue. The Hill explains that under the law, "Any new money from the carbon tax will go toward lowering other taxes in the state rather than raising money for potential carbon-cutting investments, such as clean energy projects or improved mass transit." Environmental groups opposing "the proposal insist they support carbon pricing" but "say that Washington's plan just gets the details wrong."

Coal Mining Community Concerned About Fate After Election Day.

The Arizona Republic (11/4, Hughes) reported that the political inclinations of the coal mining town of Craig, Colorado, where many residents believe "Clinton and the EPA will continue President Obama's efforts to tighten the laws governing coal-burning power plants, prompting them to just shut down rather than spend many more millions of dollars complying with Clean Air requirements." On the other hand, "a Trump presidency would likely extend the life of the coal mines or even expand them: His energy policy proposal calls for ending the current moratorium on new coal leases on federal land."

Reuters (11/4, Gardner) reported that Trump's "anti-regulation stance has made him a clear favorite of the [coal] industry, because it suggests lower costs and risks for major producers like Arch Coal Inc, Peabody Energy Corp, Cloud Peak Energy Inc and Alpha Natural Resources Inc." However, the industry "has a Plan B" in case Clinton wins, which includes a larger role for carbon capture and storage use (CCS). Members of the coal industry view CCS "as a politically feasible solution" that is acceptable to both environmentalists and coal miners, and have been "pushing both major party candidates to embrace it."

Paris Agreement In Jeopardy If Trump Wins.

Bloomberg News (11/7, Shankleman) reports that the future of the fight to limit global warming will be hampered if Donald Trump is elected president. Trump has "questioned the science of climate

change, vowed to pull out of the landmark Paris agreement and pledged to stimulate production of coal,” which worries the diplomats meeting in Marrakesh, Morocco on Monday. Bloomberg News says that “the US is the richest among the top six polluting nations, and its support for the deal is essential to keep China and other developing economies working for cleaner industry.”

Morocco Sees “No Turning Back” From Paris Agreement, Despite Trump’s Threats.

Reuters (11/6, Doyle) reports Moroccan Foreign Minister Salaheddine Mezouar said, “There is no possible turning back in the negotiation on what was agreed in Paris.” Mezouar’s remarks about the climate pact referenced “fears that Donald Trump will try to pull out if he wins the U.S. presidency.” When asked about Trump’s threats, UN “climate chief Patricia Espinosa noted that any state wanting to pull out would have to follow formal legal procedures, due to last four years.”

Chinese Officials Say US Would Suffer If Trump Reneges On Climate Pact. The Hill (11/4, Henry) reported that on Friday, China’s National Centre for Climate Change Strategy’s deputy director Zou Ji said, “If Trump were to insist on doing things his own way,” and if he reneged on the climate pact of the Paris Agreement, “then he would pay a heavy price both politically and diplomatically.” Ji added, “The U.S. would suffer the greatest harm and of course, the rest of the world would also be implicated.” Also on Friday, China’s top climate change envoy “rebuked Trump’s call to cancel the agreement, saying, ‘If they resist this trend, I don’t think they’ll win the support of their people, and their country’s economic and social progress will also be affected.’”

Paris Climate Change Goes Into Effect Faster Than Expected.

The Hill (11/4, Cama) reports the Paris climate agreement went into effect Friday, calling it a “major victory for President Obama.” Under the agreement, the US has pledged to “cut 26 percent to 28 percent of emissions by 2025.” The provisions are taking effect “much faster” than expected, according to director for climate and energy at the White House National Security Council John Morton, who noted that the paces “puts us on a much accelerated path toward implementation of that goals that we laid out in Paris a year ago.”

Reuters Analysis: Speedy Implementation Of Climate Pact Poses Technical Challenges.

Reuters (11/6, Goering) reports that climate negotiators meeting in Morocco this week find themselves facing an unexpected challenge after the deal reached in Paris last year “has come into effect more than three years ahead of schedule.” Reuters explains “that, by law, countries that have ratified the deal must start agreeing the rules to implement it at the next U.N. climate conference” on Monday, which “has left officials a very short time to iron out a host of technical issues – and only about half the parties that crafted the Paris deal eligible to participate in the early decision-making.” The AP (11/6, Ritter) reports that the US election will weigh on this week’s talks, “given Hillary Clinton and Donald Trump’s diverging views on climate change.”

Global Warming To Continue Even If Emissions Targets Reached, Report Forecasts.

Reuters (11/4, Rowling) reported that despite consent being reached in the Paris Agreement, experts are warning that “the hard work to curb global warming lies ahead.” The UN Environment Programme (UNEP) warned “this week that even if emission-cutting pledges under the Paris deal are fully implemented, predicted planet-warming emissions in 2030 could put the world on track for a temperature rise of 2.9 to 3.4 degrees Celsius this century.” Reuters extensively quoted world leaders’ opinions on “what needs to happen” in the implementation of the Paris Agreement. USA Today (11/4, Rice) also reported on UNEP’s “sobering” forecast of annual emissions. The AP (11/4) similarly highlighted opinion that “the agreement is the first step of a much longer and

complicated process of transitioning away from fossil fuels.”

US Ambassador Touts American Businesses’ Efforts Against Climate Change.

US Ambassador to the French Republic and the Principality of Monaco Jane Hartley wrote in the Huffington Post (11/4) to laud American businesses’ commitments to fighting climate change. Hartley cited how, through President Obama’s American Business Act on Climate initiative, “more than 150 American companies have come forward to support the Paris Agreement and pledge emissions reductions within their own operations.” In addition, “in February, as part of a new multilateral initiative called Mission Innovation...Obama laid out a budget proposal to double federal investment in clean energy research and development from 6.4 billion dollars in fiscal year 2016 to 12.8 billion dollars in fiscal year 2021.”

10 Of Largest Oil Companies Pledge \$1 Billion To Fight Climate Change.

The Financial Times (11/4, Clark) reported that on Friday, 10 of the world’s largest oil companies, including BP, Shell, and Total unveiled plans to spend a combined \$1 billion to combat climate change over the next 10 years. The Wall Street Journal (11/4, Kent) reports that BP CEO Bob Dudley said, “We’re doing a lot. We’re doing billions when you combine all the other activities we’ve got, and this is just the star.”

Energy

Peng: Investing In Coal Tech Is A More Realistic Solution To Fight Climate Change.

In an op-ed in the Pittsburgh Post-Gazette (11/6, Peng), Syd Peng, the Charles E. Lawall Chair in Mining Engineering emeritus at West Virginia University, argues that we need to invest in clean coal and carbon capture technology to fight climate change, instead of trying to phase out the coal industry. Peng points out that even Germany, which spends \$2 trillion subsidizing green energy, “relies on coal to meet 40 percent of its electricity needs.” He believes “sacrificing our coal industry – and then our natural-gas industry...will do little for the world.” Instead, Peng says “global emissions can be cut only with major advances in energy technology.”

Denver Post: Fracking Opponents Are “Reckless,” Ban Would Cause Major Economic Crisis.

The Denver Post (11/4) editorializes on the potential fallout of a fracking ban in the US. The Post suggests that, based on recent reports by the US Chamber of Commerce, a ban would cause a “downturn the equivalent of the financial crisis, the housing bust and the resulting Great Recession combined,” costing Colorado alone 215,000 jobs and \$26 billion in GDP by 2022. The Post goes on to criticize the “reckless nature of the anti-fracking dialogue,” and urges for support for fracking, which has been “very good thing for the country.”

Oil Rallies Before US Election As Earthquake Hits Cushing.

Bloomberg News (11/7, Sharples) reports, “Oil rebounded amid a broader market rally ahead of the U.S. election as an earthquake struck Oklahoma Sunday.” Futures increased as much as 1.8 percent in New York “as equities climbed after the Federal Bureau of Investigation said it maintains the view that Hillary Clinton’s handling of her e-mails wasn’t a crime.” Also, “A magnitude 5 earthquake struck near Cushing, prompting some pipeline operators to shut operations at the site as a precaution.” Oil has “retreated below \$45 a barrel” after OPEC failed to “agree on output quotas for member countries on Oct. 28, which must happen before a deal can be finalized.”

Moreover, OPEC “pumped at a record rate in October,” according to data compiled by Bloomberg.

Oklahoma Shuts Additional Oil Wells After Bigger Than Magnitude Four Earthquake.

E&E Publishing (11/4, Soraghan) reported Oklahoma oil and gas officials “have ordered four more oil field disposal wells to shut down in the wake of another earthquake larger than magnitude 4.” The operators of another 10 wells have also “been told to cut disposal volumes by 25 percent.” The earthquake happened close to Osage County where the EPA “directed the operators of 26 wells to limit volume to the average injected in the last 30 days.” Seismologists “say ‘optimally’ aligned faults in Oklahoma combined with extraction methods that produce unusually large amounts of water have combined to trigger swarms of earthquakes.” In 2015, “903 quakes of magnitude 3 or greater shook the state.”

Colonial Pipeline Resumed Operation On Sunday After Accident.

Reuters (11/6, Seba) reports Colonial Pipeline “said Line 1 began shipping gasoline between Houston and Linden, New Jersey, on Sunday morning for the first time since a deadly Oct. 31 explosion and fire near Helena, Alabama.” The AP (11/6) reports since the explosion, gas prices “had rose 7 cents in Georgia and 2 cents in Tennessee,” Garrett Townsend with AAA in Georgia said in an emailed statement, but also “said that restarting the line would help ease concerns about supply.” Bloomberg News (11/6, Blewitt) reports Colonial said in a statement online, “Subsequent to today’s successful restart, it is expected to take several days for the fuel delivery supply chain to return to normal.” Colonial “anticipated fuel products leaving the pipeline’s Houston origin to arrive in Linden, New Jersey, where the system ends, within approximately three days.” Lundberg Survey President Trilby Lundberg said in a phone interview, “Considering the pipeline’s vital importance to regional supply, the outage was not long enough in duration to make its way into the wholesale gasoline market, let alone the retail market.” The Atlanta Journal-Constitution (11/6, Eldridge) reports similarly.

Enforcement

Attorney Says EPA Should Give Control Of CAA Fines To Local Governments.

In an op-ed in The Hill, (11/4, Smith) Cameron Smith, the state programs director for the Washington, D.C. think tank the R Street Institute, criticizes Volkswagen’s \$14.7 billion diesel emissions agreement, and offers the RESTORE Act structure as a better option. Although the agreement will require the automaker to spend \$4.7 billion on pollution mitigation and green vehicle technology, Smith disagrees with a model that would allow “EPA bureaucrats to determine how to effectively spend billions of dollars around the country.” Instead, she prefers the Restore Act model that would “empower state and local governments to develop common-sense solutions to mitigate economic and environmental harm is good policy.”

Germans Investigating Top Volkswagen Officials Over Emissions Scandal.

The New York Times (11/6, B1, Ewing) reports the German investigation “into emissions fraud at Volkswagen reached the very top of the company on Sunday after the carmaker said” Hans Dieter Pötsch, the company’s former CFO and the chairman of the supervisory board, is suspected of violating securities laws for “failing to notify shareholders quickly enough of the financial risks of the diesel emissions cheating scandal, which has already led to a \$15 billion settlement in the United States and caused the stock price to plunge.” The Times suggests that the latest revelation “is likely to intensify criticism that Volkswagen remains in the hands of many of the longtime insiders who were in charge while the company was producing millions of cars that were deliberately designed to cheat on air-quality tests.”

International

China Announces Climate Plan, Targets 18% Carbon Emission Cut By 2020.

The AP (11/5, Press) reports China's cabinet announced a climate plan targeting an 18% reduction in carbon emissions by 2020. The plan caps coal consumption at 4.2 billion tons and expands non-fossil energy to 15% of China's total capacity. China has also guaranteed "that emissions peak no later than 2030 under the Paris pact" and plans to launch a carbon trading market next year.

Delhi Orders Three-Day School Shutdown Over Smog.

AFP (11/6) reports the Delhi state government announced Sunday that "schools in the Indian capital will be closed for the next three days" due to air pollution. State chief minister Arvind Kejriwal said, "Emergency measures are needed to solve this problem together." In response, the government announced plans, including "fighting fires at landfill sites, sprinkling water on main roads to suppress dust, and shutting down a power plant."

The Washington Post (11/6, Gowen) reports Kejriwal also "said Saturday that farmers in the neighboring states of Punjab and Haryana had illegally burned 16 to 20 tons of crop waste in the past month, turning the capital into a 'gas chamber.'" The states' "environment ministers are set to meet Monday to come up with a plan to address the problem."

Other News

OPM Report Sees Bonuses Inch Up For DOE, EPA Executives.

E&E Publishing (11/4, Bogardus) said that an OPM report found "the average bonus for a top EPA career executive was \$11,472 last year – just a smidgen higher than the average \$11,403 award in fiscal 2014." Meanwhile, "DOE senior executives saw their bonuses grow more, taking home \$10,581 in bonus money on average in fiscal 2015 compared to \$9,908 the prior year." Overall, Senior Executive Service "members were awarded \$10,742 in performance award money on average," last year, which is slightly up from the \$10,544 they earned in fiscal 2014.

EPA Employee Gets In Hot Water Over Political Chia Pets.

Greenwire (11/5, Bogardus) reported that an incident this summer "in EPA's Office of General Counsel over an employee alerting his peers to try an office treat he brought in — homemade sourdough bread with chia seeds." The EPA attorney and breadmaker included an image of Chia Pets in the form of both presidential nominees in a July 19 email. The agency's general counsel office was alerted of a possible Hatch Act violation, and on Aug. 2 the office told the attorney that "'the Hatch Act does not have a sense of humor' and forbids in the workplace pictures of candidates vying for partisan public office."

Obama To Ask Political Appointees To Resign In Courtesy To Successor.

In a nearly 1,700-word article, Politico (11/5, Wheaton) reports President Obama "plans to ask the thousands of political appointees across his administration to submit letters of resignation effective on Inauguration Day, a move that follows a time-honored tradition but is stoking anxiety among his loyalists throughout the federal government." If Hillary Clinton is his successor, "that could have been good news for any of his 4,000 political appointees who might want to keep their jobs beyond Jan. 20," although "the expectation remains that Clinton will largely replace Obama's executive branch staff – from cabinet secretaries to deputy chiefs of staff to low-level press assistants – with

her own.” White House spokeswoman Brandi Hoffine “confirmed” to Politico that Obama “plans to follow the past practice of asking appointees to submit resignation letters effective upon the inauguration of the new president” out of respect for the “principle that the incoming president selects her or his own team.”

Competition For Positions In Possible Clinton Administration Intensifies. The Hill (11/4, Parnes) reports that as “there are literally thousands of people with some connection to Clinton World already jockeying for positions in a possible administration” and she would have “roughly 4,000 political appointments” to make, “the competition for jobs...is expected to be brutal given the number of people in the vast orbit of Bill and Hillary Clinton who have been waiting for years to have a shot at a job in a future administration.” According to The Hill, the applicants “fall into four main buckets: people who worked for former President Clinton’s administration, people who worked in Hillaryland during her Senate and State tenure and both presidential campaigns, and everyone else the Clintons have dealt with through their foundation and the private sector.”

Liberals, Environmentalists Seek Influence Over Clinton Appointees. In a more than 1,100-word article, Politico (11/4, Restuccia) reports environmental activists “are quietly circulating a wish-list packed with green-minded candidates to fill Hillary Clinton’s administration, as they work to keep her Cabinet free of anyone who has previously shown an affinity for fossil fuels.” Some “prominent” activists “told Politico that they are pushing several preferred candidates, some longtime fixtures in Washington as well as a few political neophytes,” including Stanford University professor Mark Jacobson and former Michigan Gov. Jennifer Granholm for energy secretary, former EPA Administrator Lisa Jackson and Van Jones for EPA administrator, and Rep. Raul Grijalva for interior secretary.

Politico (11/4, Temple-West) discusses in a separate article who Sen. Elizabeth Warren would like to see Clinton appoint, from naming SEC commissioner Kara Stein as chair. According to Politico, “other names that have been circulated by progressives for top jobs” include Labor Secretary Perez, former CFTC Commissioner Gary Gensler, Deputy Treasury Secretary Sarah Bloom Raskin, and Heather Boushey, the Clinton transition team’s chief economist.

Republicans Plan To Block Clinton Appointments. The Wall Street Journal (11/4, Peterson) reports some Republican lawmakers are already indicating that they plan to block Hillary Clinton’s nominations to the Supreme Court and appointments to Federal agencies, obstructing her ability to form her administration if she wins election.

NYTimes A1: Clinton Faces “Excess Baggage” In Appointing Aides. In a more than 1,700-word front-page article, the New York Times (11/5, A1, Flegenheimer, Landler) reports that if Hillary Clinton is victorious on Tuesday, “the most telling test of” her “transition back to power will arrive quickly: After a campaign season often defined by voters’ weariness with and distrust of her, which old hands will – or should – follow her into the Oval Office?” The Times adds that “almost no top adviser has been left untouched by the two central firestorms of Mrs. Clinton’s candidacy: the inquiry into her use of a private email server as secretary of state and the WikiLeaks hack of the email account of John D. Podesta, her campaign chairman.” While “friends say” that the controversy is “unlikely to bother” Clinton, the Times suggests that “the political wisdom of importing excess baggage to the executive branch” could pose problems in the future.

Rules/Regulations/Policy

Valero To Sue EPA For Refusing To Consider RIN Policy Request.

Oil and Gas Journal (11/4, Snow) reported that Valero Energy said it will sue the EPA for refusing to consider the refiner’s “request to move the point of obligation under the Renewable Fuel

Standard's Research Identification Number program." Valero said it will "continue to work with the EPA," but that "Valero must pursue all legal avenues available to promote a change in the RFS program that Valero believes is necessary for the program's success."

Trump Transition Operation Aims To Undo Obama Regulations.

The "Morning Energy" blog of [Politico](#) (11/3) reported the "transition operation" of Republican presidential candidate Donald Trump "has kicked into higher gear and its efforts are heavily focused on how a President Trump might use executive authority to undo hundreds of Obama's regulations, including many in the energy sector." The team "has prepared detailed agency-by-agency guides for a potential Trump administration that include recommendations on personnel, new regulations and executive orders."

Sierra Club: Trump As President Would Be Only Climate Change Doubting World Leader. [The Hill](#) (11/3, Cama) reports that the Sierra Club says in a new report that Donald Trump, if elected, would be "the only world leader who rejects mainstream climate science." Khalid Pitts, the Sierra Club's national political director, said in a statement, "World leaders change, but Donald Trump's total ignorance of science remains the same. Electing a climate science conspiracy theorist such as Trump would make America a global laughingstock and embarrassment, all while relinquishing our leadership role in the world."

Law Firm Says Clinton Victory Will Have Little Impact On Energy. The "Morning Energy" blog of [Politico](#) (11/3) reported Hogan Lovells predicts that a victory by Democratic presidential candidate Hillary Clinton "would result in 'very little change on the energy front,' while there would 'probably be less change than people expect' if Donald Trump emerges victorious." The firm, specifically, "sees little chance of a rebound for the coal industry, even if a President Trump kills off the Clean Power Plan: 'That train has left the station.'"

Mooney: Election Outcome Will Impact Climate, Energy Policies. Writing in his column for the [Washington Post](#) (11/3), Chris Mooney opines at length on what the election outcome will mean for energy and climate policy. Mooney highlights the contrast between Donald Trump's opposition to the Paris agreement and the EPA's Clean Power Plan and Hilary Clinton's aim to continue and extend President Obama's climate policies. Under Clinton, "we can assume that the Paris process goes full speed ahead, [and] the Environmental Protection Agency's Clean Power Plan advances." Mooney writes that it is unclear how Trump would extricate the US from the Paris climate accord, but he could "simply fail to participate in the Paris process — just not engage — and there's not much that the world could do about that." Trump "would also presumably try to thwart the EPA's Clean Power Plan," though inaction invites litigation and "the compliance period under the Clean Power Plan doesn't start until 2022 anyway."

Water

EPA May Be Sued Over Missed Deadlines Under Safe Drinking Water Act.

[Bloomberg BNA](#) (11/7) reports that the Waterkeeper Alliance Inc plans to sue the EPA within 60 days for missing 10 mandatory deadlines under the Safe Drinking Water Act for regulating and monitoring contaminated drinking water. The group said the EPA missed deadlines updating the Contaminant Candidate List (CCL), Unregulated Contaminant Monitoring Rule (UCMRs), regulatory determinations, and reviews of all existing drinking water regulations.

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